

AN ACT in relation to criminal law.

Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:

Section 5. The Criminal Code of 1961 is amended by  
changing Section 24-3.5 as follows:

(720 ILCS 5/24-3.5)

Sec. 24-3.5. Unlawful purchase of a firearm.

(a) For purposes of this Section, "firearms transaction  
record form" means a form:

(1) executed by a transferee of a firearm stating:  
(i) the transferee's name and address (including county  
or similar political subdivision); (ii) whether the  
transferee is a citizen of the United States; (iii) the  
transferee's State of residence; and (iv) the date and  
place of birth, height, weight, and race of the  
transferee; and

(2) on which the transferee certifies that he or  
she is not prohibited by federal law from transporting or  
shipping a firearm in interstate or foreign commerce or  
receiving a firearm that has been shipped or transported  
in interstate or foreign commerce or possessing a firearm  
in or affecting commerce.

(b) A person commits the offense of unlawful purchase of  
a firearm who knowingly purchases or attempts to purchase a  
firearm with the intent to deliver that firearm to another  
person who is prohibited by federal or State law from  
possessing a firearm.

(c) A person commits the offense of unlawful purchase of  
a firearm when he or she, in purchasing or attempting to  
purchase a firearm, intentionally provides false or  
misleading information on a United States Department of the

Treasury, Bureau of Alcohol, Tobacco and Firearms firearms transaction record form.

(d) Exemption. It is not a violation of subsection (b) of this Section for a person to make a gift or loan of a firearm to a person who is not prohibited by federal or State law from possessing a firearm if the transfer of the firearm is made in accordance with Section 3 of the Firearm Owners Identification Card Act.

(e) Sentence.

(1) A person who commits the offense of unlawful purchase of a firearm ~~by purchasing a firearm with intent to deliver the firearm in violation of subsection (b) or by purchasing a firearm in violation of subsection (e):~~

(A) is guilty of a Class 4 felony for purchasing or attempting to purchase one firearm;

(B) is guilty of a Class 3 felony for purchasing or attempting to purchase not less than 2 firearms and not more than 5 firearms at the same time or within a one year period;

(C) is guilty of a Class 2 felony for purchasing or attempting to purchase not less than 6 firearms and not more than 10 firearms at the same time or within a 2 year period;

(D) is guilty of a Class 1 felony for purchasing or attempting to purchase not less than 11 firearms and not more than 20 firearms at the same time or within a 3 year period;

(E) is guilty of a Class X felony for which the person shall be sentenced to a term of imprisonment of not less than 6 years and not more than 30 years for purchasing or attempting to purchase not less than 21 firearms and not more than 30 firearms at the same time or within a 4 year period;

(F) is guilty of a Class X felony for which the person shall be sentenced to a term of imprisonment of not less than 6 years and not more than 40 years for purchasing or attempting to purchase not less than 31 firearms and not more than 40 firearms at the same time or within a 5 year period;

(G) is guilty of a Class X felony for which the person shall be sentenced to a term of imprisonment of not less than 6 years and not more than 50 years for purchasing or attempting to purchase more than 40 firearms at the same time or within a 6 year period.

(2) In addition to any other penalty that may be imposed for a violation of this Section, the court may sentence a person convicted of a violation of subsection (c) of this Section to a fine not to exceed \$250,000 for each violation.

(Source: P.A. 91-265, eff. 1-1-00.)

Section 99. Effective date. This Act takes effect upon becoming law.